

Petitioners/Plaintiffs Goals for Settlement.

1. Set aside a conservation area as shown on the attached overlay map within the green boundary. A management plan for the conservation area shall be prepared by the Respondents and approved by the Petitioners and made a condition of final plan approval. The conservation area shall be managed by an appropriate agency such as the Homeowners Association, The Apalachee Land Conservancy, The Trust for Public Land, or some other entity in addition to Leon County. The developer may transfer density from the conservation area calculated under the open basin rules.
2. There will be no construction below the 96.5 elevation throughout the site.
3. Under the LDR and the comprehensive plan, apartments are only authorized within LP areas in closed basins that are "certified" not to artificially or naturally discharge to Lake Jackson. Therefore, before apartments can be allowed, all

basins on the site must be certified by a professional engineer that under both pre- and post development scenarios, that none of the basins will ever naturally or artificially discharge to Lake Jackson through surface water or groundwater. We do not believe this minimum criterion has been satisfied.

4. Assuming there are properly certified basins, and apartments are allowed on the site, all apartments should be moved out of the lake view-shed to another part of the property. The goal is that apartments not be visible from the Lake. This may require changing the land use designation from RP to LP on the western edge of the site, which Petitioners would not oppose.

5. All single family houses must have two car garages.

6. All single family lots shall be at least 25% larger than the lots in the Lakeside Subdivision.

7. The trees along Monroe Street, Old Bainbridge Road and in the conservation area will be specifically protected. A tree protection plan shall be prepared by the Respondents and

approved by the Petitioners that shall protect trees greater than 12 inches in diameter (DBH), which will become a condition of final plan approval.

8. The commercial space will be brick/ office space, not storage, and limited to 20,000 square feet minor office/minor commercial, with no uses prohibited under Section 10-975(c) of the Leon County Code of Laws. A rendering shall be prepared by the Respondents and approved by the Petitioners and submitted with application for final plan approval.

9. If apartments are authorized, the number of apartment units will be reduced to 150 units.

10. No permanent access to Old Bainbridge road or through the Clyde Sellers out-parcel shall be allowed from the site, which shall be a condition of final plan approval.

11. The County shall implement written policy directives that accomplish the following:

1) requires that a fully completed EIA be approved by environmental staff for all projects and the applications shall be determined to be complete by staff before DRC meets, no exceptions, no variances, no conditions.

2) removes the closed basin exception from Lake Protection for all future projects in all lake basins in the County, i.e. Lake Jackson and all other lakes.

3) directs members of the Planning Commission and the Board of County Commissioners not to influence staff's decisions on their recommendations on quasi judicial activities, i.e. on applications for rezonings and development orders, prior to their being included in the agenda for any public hearing.

4) that requires the county to change its procedures to ensure that a formal quasi-judicial proceeding may be requested after a Planning Commission recommendation is made on a PUD application, which hearing will be held before the matter goes to the Board.

5) a Lake Jackson Basin stormwater study shall be done and thereafter the County shall adopt and implement policies based on such study that will ensure the Lake will retain and maintain its OFW water quality status. The terms of this study shall be fully developed and included in the settlement agreement, which shall ensure the study is accomplished by professionals, completed within 2 years of the settlement, and that members of the Petitioners or their appointees and state and federal agencies will be given meaningful input on the study through a peer review process.

